

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT COURT OF MASSACHUSETTS**

Ina Steiner,
David Steiner,
Steiner Associates, LLC,
(Publisher of EcommerceBytes)

Plaintiffs,

No. 21-CV-11181-PBS

vs.

eBay, Inc.,
Progressive F.O.R.C.E. Concepts, LLC
Devin Wenig,
Steve Wymer,
James Baugh,
David Harville,
Brian Gilbert,
Stephanie Popp,
Stephanie Stockwell,
Veronica Zea,
Philip Cooke,
John and Jane DOE,

Defendants.

DEFENDANT COOKE’S MOTION FOR EXTENSION OF TIME

Defendant Philip Cooke (“Mr. Cooke”) hereby files this motion to (a) extend his reply deadline to July 31, 2023 and (b) extend Plaintiffs’ sur-reply deadline to August 7, 2023. As grounds for this motion, Mr. Cooke states as follows:

1. On April 21, 2023, Mr. Cooke moved to dismiss the Amended Complaint. Dkt. Nos. 203, 204. Plaintiffs opposed the motion to dismiss on June 12, 2023. Dkt. No. 221.

2. The Court entered an order allowing each Defendant to file a reply brief in support of their motion to dismiss by July 12, 2023. The Court further allowed Plaintiffs to file sur-reply briefs by July 26, 2023. Dkt. No. 227.

3. Counsel for Mr. Cooke is on maternity leave through July 24, 2023 and requests an extension of time to file a reply brief until July 31, 2023 and a corresponding extension for Plaintiffs' sur-reply brief until August 7, 2023.

4. Counsel for Mr. Cooke has conferred with counsel for the Plaintiffs who takes no position on this motion.

WHEREFORE, Mr. Cooke requests that the Court grant this motion and (a) extend his reply deadline to July 31, 2023 and (b) extend Plaintiffs' reply deadline to August 7, 2023.

Dated: June 29, 2023

Respectfully submitted,

PHILIP COOKE

By his attorney,

/s/ Christina N. Lindberg

Christina N. Lindberg, BBO No. 690443

clindberg@msdefenders.com

MINER SIDDALL LLP

101 Federal Street, Suite 650

Boston, MA 02110

Tel: (617) 202-5890

LOCAL RULE 7.1 CERTIFICATION

I, Christina N. Lindberg, counsel for Mr. Cooke, hereby certify that, in accordance with Local Rule 7.1(a)(2), counsel for Mr. Cooke conferred with counsel for Plaintiffs on June 28 and June 29, 2023, who took no position on this motion.

/s/ Christina N. Lindberg
Christina N. Lindberg

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was filed through the ECF system June 29, 2023 and will be sent electronically to the registered participants on the Notice of Electronic Filing and paper copies will be sent to any non-registered participants.

/s/ Christina N. Lindberg
Christina N. Lindberg